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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-07-00005 CW
11)
Plaintiff,)
12) **STIPULATION AND ORDER**
v.) **CONTINUING STATUS HEARING ON**
13) **SUPERVISED RELEASE VIOLATION**
DARREN HERCULES,)
14) Hearing Date: October 20, 2010
Defendant.) Requested Date: November 12, 2010
15)
_____)

16 It is hereby stipulated between counsel for Darren Hercules, Angela M. Hansen, and
17 Assistant United States Attorney Garth Hire, that the status hearing date of October 20, 2010
18 should be continued to November 12, 2010, at 10:00 a.m., before the sitting United States
19 Magistrate Judge. The parties have conferred with United States Probation Officer Emily Libby,
20 and Ms. Libby reports that she is in agreement with this continuance.

21 This case involves a supervised release violation. On February 26, 2010, the United
22 States Probation Office filed a Form 12 Petition alleging that Mr. Hercules committed two new
23 state offenses in violation of his supervised release. On September 10, 2010, Mr. Hercules made
24 his initial appearance in Federal Court on the Petition.

25 Counsel for Mr. Hercules requests this continuance because she needs additional time to
26 investigate the underlying charges in the Form 12. The first charge involves an incident in Napa,
California, and that case has not yet been resolved. The second charge involves a domestic

1 violence incident in Oakland, California, and defense counsel is currently investigating the
2 circumstances of the incident alleged in the petition. Because defense counsel needs additional
3 time to investigate this case, the parties agree that a continuance until November 12, 2010 would
4 be appropriate. Counsel for Mr. Hercules spoke with Officer Libby, and the Probation Office is
5 in agreement with this continuance. Because this is a supervised release petition, the parties
6 further agree that the Speedy Trial Act does not apply.

7 DATED: October 18, 2010 /S/

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GARTH HIRE
Assistant United States Attorney

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11 DATED: October 18, 2010 /S/

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ANGELA M. HANSEN
Assistant Federal Public Defender
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ORDER

Based on the reasons provided in the stipulation of the parties above, and for good cause, the status hearing presently set for October 20, 2010, at 10:00 a.m., is hereby continued to November 12, 2010, at 10:00 a.m., before the sitting United States Magistrate Judge.

Dated: October 19, 2010



DONNA M. RYU
United States Magistrate Judge